

Subpart G—Registration of Persons Who Offer or Transport Hazardous Materials

- 107.601 Applicability.
- 107.606 Exceptions.
- 107.608 General registration requirements.
- 107.612 Amount of fee.
- 107.616 Payment procedures.
- 107.620 Recordkeeping requirements.

Subpart H—Approvals, Registrations and Submissions

- 107.701 Purpose and scope.
- 107.705 Registrations, reports, and applications for approval.
- 107.709 Processing of an application for approval, including an application for renewal or modification.
- 107.711 Withdrawal.
- 107.713 Approval modification, suspension or termination.
- 107.715 Reconsideration.
- 107.717 Appeal.

AUTHORITY: 49 U.S.C. 5101–5127, 44701; Sec. 212–213, Pub. L. 104–121, 110 Stat. 857; 49 CFR 1.45, 1.53.

Subpart A—General Provisions**§ 107.1 Purpose and scope.**

(a) This part prescribes procedures utilized by the Research and Special Programs Administration, the Associate Administrator and the Office of Chief Counsel in carrying out their duties under the laws pertaining to the transportation of hazardous materials.

(b) This subpart defines certain terms and prescribes procedures that are applicable to each proceeding described in this part.

[40 FR 48470, Oct. 15, 1975, as amended by Amdt. 107–4, 43 FR 43307, Sept. 25, 1978; Amdt. 107–23, 56 FR 66156, Dec. 20, 1991; 66 FR 45377, Aug. 28, 2001]

§ 107.3 Definitions.

All terms defined in 49 U.S.C. 5102 are used in their statutory meaning. Other terms used in this part are defined as follows:

Acting knowingly means acting or failing to act while

(1) Having actual knowledge of the facts giving rise to the violation, or

(2) Having the knowledge that a reasonable person acting in the same circumstances and exercising due care would have had.

Administrator means the Administrator, Research and Special Programs Administration.

Applicant means the person in whose name an exemption, approval, registration, a renewed or modified exemption or approval, or party status to an exemption is requested to be issued.

Application means a request under subpart B of this part for an exemption, a renewal or modification of an exemption, party status to an exemption, or a request under subpart H of this part for an approval, or renewal or modification of an approval.

Approval means a written authorization, including a competent authority approval, from the Associate Administrator to perform a function for which prior authorization by the Associate Administrator is required under subchapter C of this chapter.

Approval Agency means an organization or a person designated by the RSPA to certify packagings as having been designed, manufactured, tested, modified, marked or maintained in compliance with applicable DOT regulations.

Associate Administrator means the Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration.

Competent Authority means a national agency responsible under its national law for the control or regulation of a particular aspect of the transportation of hazardous materials (dangerous goods). The term *Appropriate authority*, as used in the ICAO Technical Instructions, has the same meaning as *Competent Authority*. The Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, is the United States Competent Authority for purposes of this part.

Competent Authority Approval means an approval by the competent authority which is required under the provisions of an international standard, such as the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air or the International Maritime Dangerous Goods Code. To the extent that it satisfies the requirement of the international standard, any of the following may serve as